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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : PATENT

Heinz Metzger : :

Serial No.: 10/532,116 : Art Unit: 3677

Filed: April 21, 2005 : Examiner:

For: THREADED RING : :

**SUBMISSION OF ENGLISH LANGUAGE  
PRELIMINARY EXAMINATION REPORT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith is an English language Preliminary Examination Report for the above-identified application.

Respectfully submitted,

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Reg. No. 28,770

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Dated: Nov. 3, 2005

From the INTERNATIONAL BUREAU

**PCT**

NOTIFICATION OF TRANSMITTAL  
OF COPIES OF TRANSLATION  
OF THE INTERNATIONAL PRELIMINARY REPORT  
ON PATENTABILITY  
(CHAPTER I OR CHAPTER II  
OF THE PATENT COOPERATION TREATY)  
(PCT Rule 72.2)

To:

**Bartels und Partner  
Patentanwälte**  
Eingegangen: 07. JULI 2005  
Received:  
TERMIN .....

|   |  |
|---|--|
| Date of mailing (day/month/year)<br>30 June 2005 (30.06.2005) |  |
| Applicant's or agent's file reference<br>40hps/229134         | <b>IMPORTANT NOTIFICATION</b>  |
| International application No.<br>PCT/EP2003/011777            | International filing date (day/month/year)<br>24 October 2003 (24.10.2003) |
| Applicant<br>SPIETH-MASCHINENELEMENTE GMBH & CO KG et al      |  |

**1. Transmittal of the translation to the applicant.**

The International Bureau transmits herewith a copy of the English translation made by the International Bureau of the international preliminary examination report established by the International Preliminary Examining Authority.

**2. Transmittal of the copy of the translation to the elected Offices.**

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following elected Offices requiring such translation:

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**3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).**

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report.

**It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.**

The International Bureau of WIPO  
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1211 Geneva 20, Switzerland

Authorized officer

Yolaine Cussac

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## PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY  
(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

|  |  |   |
|--|--|---|
| Applicant's or agent's file reference<br>40hps/229134                                      | FOR FURTHER ACTION<br>See Form PCT/IPEA/416                                |   |
| International application No.<br>PCT/EP2003/011777   | International filing date (day/month/year)<br>24 October 2003 (24.10.2003) | Priority date (day/month/year)<br>07 November 2002 (07.11.2002) |
| International Patent Classification (IPC) or national classification and IPC<br>F16B 39/02 |  |   |
| Applicant<br>SPIETH-MASCHINENELEMENTE GMBH & CO KG et al.                                  |  |   |

|  |
|--|
| <p>1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.</p> <p>2. This REPORT consists of a total of <u>4</u> sheets, including this cover sheet.</p> <p>3. This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of _____ sheets, as follows:</p> <p><input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions).</p> <p><input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box.</p> <p>b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p> <p>4. This report contains indications relating to the following items:</p> <p><input checked="" type="checkbox"/> Box No. I Basis of the report</p> <p><input type="checkbox"/> Box No. II Priority</p> <p><input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</p> <p><input type="checkbox"/> Box No. IV Lack of unity of invention</p> <p><input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</p> <p><input type="checkbox"/> Box No. VI Certain documents cited</p> <p><input type="checkbox"/> Box No. VII Certain defects in the international application</p> <p><input type="checkbox"/> Box No. VIII Certain observations on the international application</p> |
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|   |  |
|---|--|
| Date of submission of the demand<br>28 February 2004 (28.02.2004) | Date of completion of this report<br>07 February 2005 (07.02.2005) |
| Name and mailing address of the IPEA/EP                           | Authorized officer   |
| Facsimile No.   | Telephone No.  |

## INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/EP2003/011777

## Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

This report is based on translations from the original language into the following language \_\_\_\_\_, which is language of a translation furnished for the purpose of:

international search (under Rules 12.3 and 23.1(b))  
 publication of the international application (under Rule 12.4)  
 international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report):

The international application as originally filed/furnished

the description:

pages \_\_\_\_\_ 1-8 \_\_\_\_\_, as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

the claims:

pages \_\_\_\_\_ 1-6 \_\_\_\_\_, as originally filed/furnished

pages\* \_\_\_\_\_, as amended (together with any statement) under Article 19

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

the drawings:

pages \_\_\_\_\_ 1/1 \_\_\_\_\_, as originally filed/furnished

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

pages\* \_\_\_\_\_ received by this Authority on \_\_\_\_\_

a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.

3.  The amendments have resulted in the cancellation of:

the description, pages \_\_\_\_\_  
 the claims, Nos. \_\_\_\_\_  
 the drawings, sheets/figs \_\_\_\_\_  
 the sequence listing (specify): \_\_\_\_\_  
 any table(s) related to sequence listing (specify): \_\_\_\_\_

4.  This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

the description, pages \_\_\_\_\_  
 the claims, Nos. \_\_\_\_\_  
 the drawings, sheets/figs \_\_\_\_\_  
 the sequence listing (specify): \_\_\_\_\_  
 any table(s) related to sequence listing (specify): \_\_\_\_\_

\* If item 4 applies, some or all of those sheets may be marked "superseded."

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

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|--|
| International application No.<br>PCT/EP 03/11777 |
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## V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

## 1. Statement

|                               |        |         |
|-------------------------------|--------|---------|
| Novelty (N)                   | Claims | YES     |
|                               | Claims | 1 NO    |
| Inventive step (IS)           | Claims | 2-6 YES |
|                               | Claims | NO      |
| Industrial applicability (IA) | Claims | 1-6 YES |
|                               | Claims | NO      |

## 2. Citations and explanations

- 1 The present application does not comply with the requirements of PCT Article 33(2), because the subject matter of claim 1 is not novel.
- 1.1 This report makes reference to the following document (D) cited in the search report; the same numbering will be used throughout the procedure:
- D1: EP-A-0 794 338 (TIMKEN CO) 10 September 1997  
(1997-09-10).
- 1.2 Document D1 discloses a device having all the features of claim 1 (cf. the whole document). In particular, D1 also shows the features of the characterizing portion of claim 1.
- 1.3 The subject matter of claim 1 is therefore not novel.
- 2 The features specified directly in dependent claim 2 are not indicated in their present wording in any of the search report citations. If the applicant considers that these features could support the allowability of independent claim 1, a new independent claim containing these features and those of the current independent claim 1 should be drafted.

The features which are known in combination from D1 should be incorporated in the preamble of this new independent claim.

- 3 The description should be brought into line with the newly filed claims. Amendments, in particular to the introductory portion, including the presentation of the aim and the advantages of the invention, should not introduce matter which goes beyond the disclosure in the international application as filed.
- 4 Pursuant to PCT Rule 5.1(a)(i) to (iv), the description should cite document D1 and briefly outline the relevant prior art contained therein.